

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION**

GUERRA & MOORE, LTD., L.L.P.	§	
Plaintiff	§	
	§	
v.	§	CIVIL ACTION NO.
	§	
MARCO A. CANTU, DEBTOR,	§	7:11-CV-299
DALES.KASOFSKY,LAW	§	
OFFICE OF DALE S. KASOFSKY, P.C.	§	
AS SUCCESSOR-IN INTEREST TO	§	
LAW OFFICE OF DALE KASOFSKY,	§	
P.L.L.C., and LAW OFFICE OF	§	
MARK A. CANTU, P.L.L.C	§	
Defendants	§	JURY TRIAL DEMANDED

DEFENDANT MARCO A. CANTU'S ORIGINAL ANSWER

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

NOW COMES MARCO A. CANTU, Defendant, files this his Original Answer, and in support thereof, would respectfully show:

1. Defendant MARCO A. CANTU admits the following paragraphs of Plaintiff's First Amended Original Petition, to-wit: 1, 2, 3, 4, 5, 7, 8, and 9 (except that to the extent it states that the judgment is final, Defendant would note that the time period for filing a bill of review has not passed),
2. Defendant MARCO A. CANTU denies the following paragraphs of Plaintiff's First Amended Original Petition, to-wit: 6, 10, 11, 12, 13, 14, and 15.
3. Defendant MARCO A. CANTU cannot admit or deny the following paragraphs of Plaintiff's First Amended Original Petition, to-wit: none.

4. Defendant MARCO A. CANTU demands a jury trial.
5. Defendant MARCO A. CANTU would show that upon the granting of a bill of review, the judgment in Cause No. 2005CVQ00954-D2 would be set aside and would make this entire lawsuit moot. Additionally, Defendant MARCO A. CANTU would show that this Court has ruled that the deadline for filing a bill of review action attacking the judgment rendered in Cause No. 2005CVQ00954-D2 is August 4, 2012. Defendant MARCO A. CANTU has been informed that such a bill of review action will be filed by the deadline.

WHEREFORE, PREMISES CONSIDERED, Defendant MARCO A. CANTU prays that upon final hearing, Plaintiff take nothing, and for such other and further relief to which said Defendant may be justly entitled.

Respectfully submitted,

/s/Kelly K. McKinnis
KELLY K. McKINNIS
Texas Bar No. 13725200
3423 W. Alberta Road
Edinburg TX 78539
956.686.7039
mckinnis22@yahoo.com

**ATTORNEY FOR DEFENDANT
MARCO A. CANTU**

CERTIFICATE OF SERVICE

I certify that on July 12, 2012, a true copy of this document was forwarded to:

David Lumber (to dlumber@guerralawgroup.com)
4201 N. McColl Rd.
McAllen TX 78504

Mr. Dale S. Kasofsky (to dale@dsklaw.com)
PO Box 720281
McAllen TX 78504

Mr. Michael B. Schmidt (to mbsatty@swbell.net)
555 N. Caracahua, Suite 1550
Corpus Christi TX 78478

Ms. Diann Bartek (to dmbar tek@coxsmith.com)
1400 N. McColl Road, Suite 204
McAllen TX 78501

/s/Kelly K. McKinnis
Kelly K. McKinnis